GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Prohibition & Excise Department – Preventive Detention - Detention order passed against Sri Sarakam Mahesh, S/o Srinivasa Rao, Age 27 Years, Gavara by Caste, R/o D.No:10-58/2, back side of Saibaba Temple, Chandra Nagar, Gopalapatnam, Visakhapatnam City, Andhra Pradesh Narcotic Drugs and Psychotropic Substances Act,1988 (PIT NDPS Act 1988) – Confirmed - Orders – Issued.

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REVENUE (EXCISE.II) DEPARTMENT

G.O.RT.No. 634 **Dated: 23-06-2025**

Read the following:-

1. G.O.Ms.No.131, General Administration (SC-1) Department, Dated: 08.10.2018.
2. From the Commissioner of Police & Additional District Magistrate, Visakhapatnam, Lr.No. C.No.2487/MC-III/ PIT-NDPS Act/ 2025, dt.25.04.2025.
3. G.O.Rt.No.423, Revenue (Excise.II) Dept., Dated:12.05.2025.
4. Govt. Memo No.REV01-CPE0MISC/181/2025-Excise-II, Dated:12.05.2025.
5. Govt. Letter No. REV01-CPE0MISC/181/2025-EXCISE-II, dt.05.06.2025.
6. Govt.Memo.No.REV01-CPE0MISC/178/2025-EXCISE-II, dt.13.06.2025.
7. From the Chairman, Advisory Board on Preventive detentions Opinion & Minutes of the meeting Dt:17-06-2025.

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ORDER:

WHEREAS, the Commissioner of Police & Additional District Magistrate, Visakhapatnam in the reference 2nd read above submitted a proposal based on the report of the Inspector of Police, Gopalapatnam Police Station, Visakhapatnam City to Government about a spate of illegal possession and sale of Ganja by Sri Sarakam Mahesh, S/o Srinivasa Rao, Age 27 Years, Gavara by Caste, R/o D.No:10-58/2, back side of Saibaba Temple, Chandra Nagar, Gopalapatnam, Visakhapatnam City, Andhra Pradesh State(herein after referred as detenue) for issuing of detention orders u/s 3(1) of the Prevention of illicit traffic in Narcotic Drugs and Psychotropic Substances Act,1988 (PITNDPS act 1988). It has also been informed that he is a habitual offender of illicit ganja/cannabis trafficking, and generally operates along with his accomplices. Currently, he is actively involved in the clandestine business of smuggling cannabis(Ganja) from tribal areas of Vishakhapatnam District and its surroundings. Despite facing several cases booked against him, he continues to commit offences under the Narcotic Drugs and Psychotropic Substances Act 1985. He engages in the purchase, storage, sale and illicit trafficking of cannabis (Ganja) in territorial jurisdiction of Visakhapatnam Police Commissionerate and its neighboring areas. Further he is operating near the colleges and thereby peddling college students. And, in the intoxication of drug, the drug consumers are actively involving in heinous offences including snatching, robbery, and extortion and so on. Therefore, the

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activities of the detenue pose a serious threat to the health and welfare of the people.

2. The Ganja is being possessed and sold by him is causing widespread danger to the public health. Thus, he is an "illicit traffic" as classified under section 2 (e) (iii) of the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PIT NDPS Act 1988) and acting prejudicial manner to the maintenance of public health. Thus, he is acting as prejudicial to the maintenance of the public health. Apart from the above, the said detenue is involved in (02) similar cases in different police stations of Visakhapatnam City.

3. AND WHEREAS, the Government have issued detention orders against him under section 3(1) of the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act,1988 (PIT NDPS Act 1988) vide Government Orders 3rd read above.

4. AND WHEREAS, under Section 9 of the Act, Government within five weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, and the Advisory Board shall submit its report to Government within *eleven weeks* from the date of detention under Section 9 of the said Act. The above said case was placed before the Advisory Board comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members, for its consideration and to submit its report to Government, under Section 9(c) of the said Act, vide reference 5thread above. The case was reviewed by the Advisory Board on 17-06-2025 through video conference. After having heard the detenue, the Investigating Officer who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has unanimously opined and reported that "there is sufficient cause for the detention of the detenue".

5. AND WHEREAS, the Government, after careful examination of the entire record, observed that Sri Sarakam Mahesh, S/o Srinivasa Rao, Age 27 Years, Gavara by Caste, R/o D.No:10-58/2, back side of Saibaba Temple, Chandra Nagar, Gopalapatnam, Visakhapatnam City, Andhra Pradesh State, is found to be involved in as many as in Two (02) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he is an habitual offender and his activities are habitual in nature and which are registered under various sections i.e., U/s. 8(c) r/w 20(b)(ii) (C), 22(c) of NDPS Act-1985. As such, the activities of the individual falls under and within the meaning of "illicit traffic" as classified under section 2 (e) (iii) of the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PIT NDPS Act 1988). The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenue by invoking the provisions under U/Sec 3(1) of the said Act, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of

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public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 11 of the Act.

6. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 3 of the said Act, the Order of Detention issued in the reference 3rd read above, is hereby confirmed. The detention of Sri Sarakam Mahesh, S/o Srinivasa Rao, Age 27 Years, Gavara by Caste, R/o D.No:10-58/2, back side of Saibaba Temple, Chandra Nagar, Gopalapatnam, Visakhapatnam City, Andhra Pradesh State, shall be for a period of 12 (Twelve) months from the date of his detention, i.e., 16.05.2025 under Section 11 of the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PIT NDPS Act 1988).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To

Sri Sarakam Mahesh, S/o Srinivasa Rao, Age 27 Years, Gavara by Caste, R/o D.No:10-58/2, back side of Saibaba Temple, Chandra Nagar, Gopalapatnam, Visakhapatnam City, Andhra Pradesh State **through** the Superintendent of Jails, Central Prison, Visakhapatnam.

The Superintendent of Jails, Central Prison, Visakhapatnam (He should serve the Order on the detenue immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenue and report compliance to the Government forthwith).

The Superintendent, Central Prison, Visakhapatnam.

Copy to:

The Director General of Police, A.P., Mangalagiri, Guntur District.
The Commissioner of Police, Visakhapatnam City.
The Director General of Prisons and Correctional Services, A.P., Vijayawada.
The Additional Director General of Police (Intelligence), A.P., Vijayawada.
The Inspector of Police, Gopalapatnam Police Station, Visakhapatnam City.
The Spl. G.P., Attached to Learned Advocate General, A.P. High Court, Nelapadu, Amaravathi, Guntur District.
The PS to Principal Secretary to Govt., Revenue (Excise) Department.
SF/SC.

//FORWARDED:BY ORDER//

SECTION OFFICER